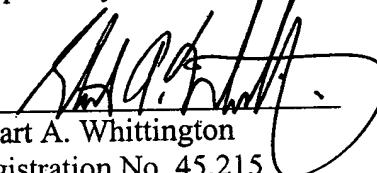AMENDMENT
U.S. Appln. No. 09/863,792

If any points arise which the Examiner feels may be best resolved through a personal or

telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone

number listed below.

Respectfully submitted,

Stuart A. Whittington
Registration No. 45,215

SQUIRE, SANDERS & DEMPSEY, LLP.
Two Renaissance Square
40 North Central Ave., Suite 2700
Phoenix, Arizona 85004
Telephone: (602) 528-4183
Facsimile: (602) 253-8129

Date: 11/28/01
#171935

APPENDIX A.1

(Changes in Substitute Specification Relative to Original Specification)

Deletions are shown in brackets; additions shown in bolded underline.

Replace the paragraph on Page 4, lines 12-18 with the following paragraph:

--Personalized Gift Item means any gift or commemorative item on which Digital Images can be displayed or reproduced, including, without limitation, key chains, drinking mugs or steins, paper or cloth calendars, Christmas ornaments, magnets, mouse pads, pins, coasters, puzzles, tote bags, clocks, hats, shirts and other wearing apparel, playing cards, bookmarks, plates, post cards, stationary, balls and other sports equipment and photo prints, both framed and unframed, and Personalized Gift Items [meansmore] **means more** than one Personalized Gift Item;--

Replace the paragraph on Page 5, lines 15-26 with the following paragraph:

--Next, the Customer browses the Electronic Store and selects a Personalized Gift Item on which to display the selected Digital Images S300. Browsing and selecting among Personalized Gift Items may be, as with the viewing and selecting of Digital Images, also performed through the use of a web browser such as Netscape® or the like. Personalized Gift Items may be any item that has at least one surface suitable for having a Digital Image reproduced or displayed thereon. A non-exhaustive list of such Personal Gift Items includes: key chains, drinking mugs or steins, paper or cloth calendars, Christmas ornaments, magnets, mouse pads, pins, coasters, puzzles, tote bags, clocks, hats, shirts and other wearing apparel, playing cards, bookmarks, plates, post cards, stationary, balls and other sports equipment**, and photo prints, both framed and unframed**. Essentially, any personal, business or home accessory with a suitable surface may be adapted to display Digital Images and, thus, the present invention is not limited to the Personalized Gift Items specifically listed above.--

Replace the paragraph on Page 10, lines 24-26 with the following paragraph:

--Once the Fundraising Entity is a registered as a Member, it may refer the Web [Siteto] **Site to** other Fundraising Entities S160. The benefits to a referring Member for making such referrals are as discussed with reference to Fig. 6 below.--

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APPENDIX A2

Replace the paragraph on page 13, lines 14-29 with the following paragraph:

--As previously mentioned, the Member, and/or a Fundraising Entity designated by the Member, is credited for and/or receives some or all of the revenues generated from the sale of Personalized Gift Items from that Member's Electronic Photo Albums. The portion of the revenues paid to, or as directed by Members, may be determined at the discretion of the Web Service Provider. Such portion of the revenues may be set as either a fixed or variable percentage of either gross revenues or of any measure of profits. If based on profits, the determination of profit might take into consideration and number of factors, including, without limitation, cost of goods sold and various fixed and/or variable costs, both direct and indirect, of providing the image transfer services and/or related services. Payments to Members or their designated beneficiaries are preferably made on a periodic basis (e.g., quarterly) as determined by the Web Service Provider. As an added incentive, some or all Members may be eligible to refer the Web Site to other Fundraising Entities. In this case, **when** a referred Fundraising Entity registers as a Member, the referring Member, if eligible, receives a portion of the revenues generated from the sale of Personalized Gift Items from the Referred Entity's Electronic Photo Albums. Fig. 5 illustrates an example of this process.--

Replace the three paragraphs beginning on Page 14 line 7 and ending on Page 15 line 30 with the following three paragraphs:

--The Web Service Provider, which may utilize a software algorithm, then determines whether Member B was referred by an eligible Member S520. Eligibility is discretionary with the Web Service Provider and may take several factors into consideration, for example, whether Member A is a non-profit organization, etc. If Member B was not referred by an eligible Member, then the Purchase Price is allocated between the Web Service Provider and Member B according to whatever allocation formula is then in effect S530. However, in this example, assume Member A is an eligible referring organization. Therefore, the Web Service Provider determines the portion of the Purchased Amount to which Member A, as the referring Member, is entitled as a "referrer royalty" by applying the then applicable referral royalty percentage to the Purchased Amount S540. Such referral royalty is then paid by the Web Service Provider to the referring Member A, the referring Member in this example S550, and the remaining revenues

(i.e., net amount after the referral royalty is [substracted] subtracted) is then allocated between the Web Service Provider and Member B S560.

The referral royalty percentage may be fixed or variable, and, if variable, may be determined based on any one or more of a number of factors, including, without limitation, the number of referrals made by the referring Member and the level of sales generated by the referred to Members. Following the example described above, if the deducted percentage is five percent, Member A (the referring entity) would be entitled to a referral royalty of $500 based on the gross revenues generated only from sales from Member B's Electronic Photo Albums. The remainder of the Member B revenues (i.e., $9,500) may be first applied by the Web Service Provider against costs and expenses and the balance allocated between the Web Service Provider and Member B based on whatever formula was then [if] in effect S560. The skilled artisan will recognize that the accounting techniques used in determining distributed funds may vary, and thus the present invention is not limited to any specific type of revenue or profit accounting.

Fig. 6 illustrates an alternative method for distributing revenues generated by Members. This method is similar to that illustrated in Fig. 5, except that a referral royalty is automatically deducted from the Purchased Amount and either paid to the referring Member, if there is a referring Member, or to a default organization, if there is no referring Member. After determining the Purchased Amount S610, the Web Service Provider determines the portion of the Purchased Amount to which a referring organization is entitled as a referrer royalty by applying the then applicable referral royalty percentage to the Purchased Amount S615. The Web Service Provider then determines whether Member B listed another Member (in this example, Member A) as its referring organization S620 and, and, if it did, donates such referral royalty to the referring organization (Member A in this example) S650. On the other hand, if it is determined that Member B did not list another Member as its referring organization, or the referring organization is ineligible to receive referral royalties, then the referral royalty is donated to a "default" organization S632, which default organization may be either an entity established by or on behalf of the Web Service Provider or any other entity whether already existing or yet to be established. The Member B revenues remaining after reduction for the referral royalty may first be applied by the Web Service Provider against costs and expenses with the balance allocated between the Web Service Provider and Member B based on whatever formula was then [if] in effect S660. It is worth noting that the revenues attributed to Member B
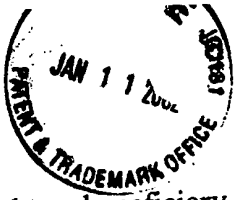
may be forwarded to a beneficiary fundraising organization designated by Member B at the time of registration. For example, if Member B is an alumnus of a particular school, member B may register with the Web Service Provider and designate the school as the beneficiary of proceeds resulting from the sale of Personal Gift Items having Digital Images selected from Member B's Personalized Electronic Photo Album. Consequently, references in this disclosure, including the appended claims, of allocating or distributing revenues or funds to "the fundraising entity" or "registering entity" includes any beneficiaries that may be designated by individuals or organizations that are registered Members.--

#171571v1

Changes in Claims Relative to Originally Filed Claims)

1. (Amended) A method for fundraising comprising:

registering [a fundraising] an entity comprising one of a person, a group of persons or an organization with a service provider;

displaying [products for sale] on a viewable medium hosted by the service provider one or more products for sale;

selling a displayed product to a customer, wherein the product sold is adapted to display [a personal] an image selected by the customer[, the personal image relating to the registered fundraising entity]; and

distributing [, by the service provider,] a portion of revenues from the product sold to the registered [fundraising] entity.

2. (Amended) The method of claim 1 [wherein before selling, the method] further [comprises] comprising:

displaying [a plurality of personal] one or more images [relating to the registered fundraising entity] on the viewable medium including the [personal] image selected by the customer.

3. (Amended) The method of claim 2 wherein the viewable medium comprises a website hosted on a web [sever] server and accessed by a computer via the Internet.

4. (Amended) The method of claim 3 wherein registering comprises:

receiving identification information for the [fundraising] entity;

creating at least one photo album for the [fundraising] entity; and

issuing an identifier for the created photo album to the [fundraising] entity for access to the created photo album.

6. (Amended) The method of claim [1] 5 wherein [distributing the portion of revenues to the registered fundraising entity comprises:

determining a purchased amount for the product sold displaying the personal image selected by the customer; and

distributing a percentage of the purchased amount to the fundraising entity.] the website is operative to enable the entity to access information relating to viewing and purchasing activity from the created photo album.

7. (Amended) The method of claim 1 wherein distributing [profits to the registered fundraising entity] the portion of revenues comprises:

[determining a purchased amount for the product sold displaying the personal image selected by the customer;

deducting a predetermined percentage from the purchased amount;

distributing a percentage of the purchased amount less the deducted percentage to the fundraising entity] distributing a first portion of revenues to the registered entity; and

distributing [the deducted percentage] a second portion of revenues to a different entity.

8. (Amended) The method of claim 7 wherein the different entity comprises [an] a referring entity that referred the [fundraising] entity to register with the service provider.

10. (Amended) A computer program product including machine-readable code stored in a distributed storage medium comprising:

code for facilitating registering [a fundraising] an entity with a service provider;

code for displaying [generating viewable images of] one or more products for sale on a viewable medium hosted by the service provider;

code for closing a sale to a customer [to purchase] of a displayed product [adapted to display a personal] on which an image selected by the customer is reproduced [, wherein the personal image relates to the registered fundraising entity];

code for determining revenues from closed sales of displayed products; and

code for allocating a portion of the determined revenues to the registered [fundraising] entity.

11. (Amended) The computer program product of claim 10 further comprising:

code for displaying [a plurality of] one or more provided [personal] images [relating to the registered fundraising entity] on the viewable medium; and

code for allowing the customer to select [a personal] the image to be reproduced on the displayed product from the displayed [plurality of provided personal] one or more provided images[, to be displayed purchased products].

12. (Amended) The computer program product of claim 10 wherein the code for allocating the portion [or] of determined revenues comprises:

code for [deducting a predetermined percentage of] allocating a first portion of determined revenues [from closed sales of products and allocating the predetermined percentage to a different entity] to the registered entity; and

code for [determining whether the registered fundraising entity was referred to the service provider by a referring fundraising entity] allocating a second portion of determined revenues to a different entity.

13. (Amended) The computer program product of [claims] claim 12 further comprising:

code that [, when it is determined that] determines whether the registered [fundraising] entity was referred to the service provider by a referring registered entity, and if so, designates the referring registered [fundraising] entity as the different entity, and if not, the different entity is selected by the service provider.

14. (Amended) A method of hosting fundraising comprising:

providing a platform on which a host [fundraising] entity [displays personal images] displays one or more images;

offering [a plurality of products] for sale on the platform one or more products on which the displayed [personal] images may be [incorporated] reproduced; and

distributing to the host [fundraising] entity[,] a portion of revenues from products sold [incorporating personal] with reproduced images from the displayed [the host fundraising entity] one or more images.

16. (Amended) The method of claim 15 further comprising:

registering a plurality of [fundraising] host entities; and

providing incentives to [a] at least one of the registered [fundraising entity] host entities for referring additional [fundraising] host entities to register.

17. (Amended) The method of claim [16 further comprising:] 14 wherein the portion of revenues are distributed to one or more entities other than the host entity

[distributing to a default charity, a portion of the revenues from products sold incorporating [personal] images from the platform].

18. (Amended) A system for fundraising comprising:

means for registering [a fundraising] an entity with a service provider;

means for posting [personal] one or more images selected by the registered [fundraising] entity;

means for enabling one or more customers to view [viewing] the posted [personal] images and for displaying one or more products for sale to the one or more customers [and selecting a desired personal image by a customer];

means for [viewing and selecting] enabling the one or more customers to purchase one or more of the displayed products and to select for reproduction on each purchased product, one or more of the posted images [to display the desired personal image by the customer]; and

means for determining revenues from purchased products and a portion thereof to be distributed to the registered [fundraising] entity.

19. (Amended) The system of claim 18 wherein the means for registering, posting, and enabling customers to view the posted images and displaying products for sale, comprise respective pages of an application program interface hosted by a computer server accessible over a communications network.

20. (Amended) The system of claim 19 wherein the means for determining revenues and the portion thereof to be distributed to the registered entity comprises a processor in the computer server executing machine readable code.

21. (Amended) A method for fundraising comprising:

registering an entity with a service provider, the entity comprising one of a [fundraising entity, or any individual or organization on behalf of the fundraising entity] person, a group of persons or an organization;

displaying [a plurality of personal] one or more images [relating to the registered entity,] on a web site hosted by the service provider;

displaying one or more products for sale on the web site hosted by the service provider;

selling at least one displayed product to a customer, wherein each product sold [is adapted to display] includes an image selected by the customer from the [plurality of personal] one or more displayed images; and

[allocating] distributing a portion of revenues generated from the sale of products [between the service provider and at least one of the registered entity and a different party other than the registered entity and the service provider] to a designated entity [; and

providing the registered entity access to reports of at least one of sales and viewing activity relating to the personal images relating to the registered entity].

22. (Amended) The method of claim 21 wherein registering comprises:

receiving [identification] information [of a] identifying the registering entity;

receiving information, if any, identifying the designated entity;

creating at least one photo album for the registering entity; and

issuing an identifier to the registering entity to identify and access the created

photo album.

24. (Amended) The method of claim 21 [wherein allocating revenues comprises] further

comprising:

[deducting a royalty, using a predetermined royalty percentage, from the revenues generated from the sale of products attributed to the registered entity;

distributing the royalty to a different entity other than the service provider and the registered entity;

allocating the revenues less the royalty between the service provider and the registered entity; and

distributing the all allocated revenues]

distributing another portion of revenues to a party other than the registered entity

or the designated entity.

25. (Amended) The method of claim 24 wherein the [royalty comprises a referral royalty and the different entity] party comprises a referring entity that referred the registered entity to the web site hosted by the service provider.

26. (Amended) The method of claim 24 wherein the [different entity comprises a default entity] party is selected by the service provider.

27. (Amended) The computer program product of claim 11 [10 wherein the code for allocating a portion of the determined revenues comprises:

code for determining a referral royalty to be deducted and distributed to one of a referring fundraising entity and a default entity selected by the service provider; and

code for allocating the revenues less the referral royalty between the service provider and the registered fundraising entity] further comprising code for organizing and reporting information relating to viewing of displayed images and purchasing activity.

28. (New) The method of claim 1 wherein the displayed product comprises a photo print.

29. (New) The method of claim 14 wherein the one or more products offered for sale comprises a photo print.

30. (New) The method of claim 21 wherein the displayed products for sale on the web site comprises a photo print.

31. (New) The method of claim 22 further comprising:

providing the registered entity access to reports of at least one of sales of products activity and image viewing activity.

32. (New) The system of claim 18 wherein the system further comprises:

means for enabling the registered entity to access reports containing information relating to viewing of posted images and purchases of displayed products.

33. (New) The system of claim 32 wherein the means for enabling the registered entity to access reports comprise respective pages of an application program interface hosted by a computer server accessible over a communications network.

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